

d. providing an opportunity for each winner to win a prize that is randomly chosen from a group of prizes that includes an incrementing jackpot, and in the event that the particular prize randomly chosen for the player is the incrementing jackpot, terminating the incrementation of the incrementing jackpot, awarding the incrementing jackpot to the player, and offering the player to
5 at least again play the primary wagering game.

50. (Amended) The game device of Claim 43[5,] wherein the random jackpot-generating devices comprises a rotatable prize wheel[,] and wherein the prize wheel and the jackpot display[, and the micro-controller] are built into the gaming table.

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REMARKS

Claims 1-50 are pending. The Examiner rejected claim 50 for being indefinite under 35 U.S.C. Section 112, claims 1, 13, 15, and 16 for anticipation under Section 102, and the remaining claims for obviousness under Section 103. The Applicant has amended claims 1 and
15 50 and requests reconsideration and allowance.

With regard to the infiniteness rejection of claim 50, the Examiner noted that original claim 50, which depended from claim 45, lacked proper antecedent basis for the term "gaming table." The applicant has amended claim 50 to depend from claim 39 rather than 45 and to delete the reference to a "microcontroller." As thus amended, claim 50 now provides a proper
20 internal identification of "a prize wheel" and proper antecedent basis, in claim 43, for the "term jackpot display."

With regard to the anticipation rejection of claims 1, 13, 15, and 16, the Examiner stated that in the card game disclosed in Adams:

Each player having a predetermined arrangement of indicia resulting from completion of the [card game] round is designated a winner. . . . Each winner then has an opportunity to win a prize that is randomly chosen from a group of prizes that includes an incrementing jackpot, i.e., progressive jackpot (col. 3, lines 13-22, 63-66}.

The applicant respectfully submits that Adams' cryptic and very brief statements do not constitute a teaching of how to make and use the claimed method. Since they do not teach, they cannot anticipate the claimed subject matter as a matter of law.

Adams has a surprisingly brief disclosure. Adams' entire "Detailed Description" section is *less than two columns of text* (and the Adams Patent includes only two cursory drawings). Adams' purported "Detailed Description" is less than ¼ the size of Adams' seven and one-half columns of claims. In addition, Adams' "**Summary** of The Invention" section is more than 50% as long as its "**Detailed Description**" section. (Emphasis added.) Without Adams "Background" section, its "Summary of The Invention," and its claims, the Adams patent is nearly vacuous. (See copy of Adams' entire Detailed Description section attached as Exhibit A.)

Amidst Adams' scant "Detailed Description" section is an even more scant reference to possibly including a progressive jackpot in a bonus award group provided by a manually spun wheel. After explaining how a manually-operated spinning wheel bonus game could be added to those who earn certain hands in a base card game, Adams states only:

While the illustrated wheel indicates exact dollar amounts of attainable prizes, other items of value may also be utilized such as a car, a cruise, or a payout from a progressive jackpot.

(Col. 3, ll. 63-66.) This is Adams' entire disclosure on this topic. Adams provides no drawings or details for how to implement the concept -- not even an explanation of how, how the

progressive jackpot might work, how and when the exact payout amount might be determined based on the unspecified "progressive jackpot," how those administering the game would manage the process, when they would provide the game player with the payout amount from a progressive jackpot, etc.

5 The applicant therefore submits that this part of Adams' disclosure is at most a very high level "wish-list" for what might be done or developed in the future. This particular reference does not, however, provide a teaching of how to make and use anything, much less how to make and use the particular gaming structures or methods claimed variously in disparate claims of the present application.

10 With regard to claim 1, the claim recites a method of conducting a primary wagering game and, among other things:

15 d. providing an opportunity for each winner to win a prize that is randomly chosen from a group of prizes that includes an incrementing jackpot, and in the event that the particular prize randomly chosen for the player is the incrementing jackpot, terminating the incrementation of the incrementing jackpot to provide an terminated jackpot award, awarding the terminated jackpot award to the player, and offering the player to at least again play the primary wagering game.

20 The applicant respectfully submits that Adams provides no teaching of how to make and use any such method. Adams does not mention how or when the jackpot incrementation might be "terminated," or how or when the terminated award might be awarded to the player, etc. Adams teaches no structure for accomplishing any such steps or sub-steps.

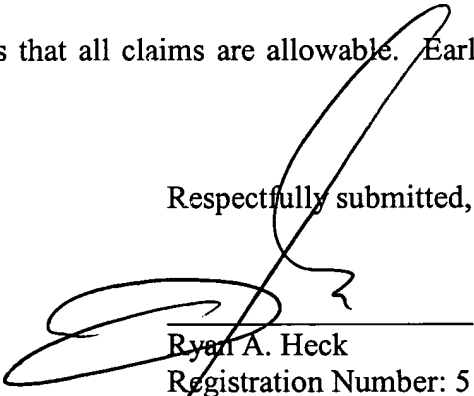
25 Since Adams provides no such teaching, it cannot anticipate the subject matter of claim 1 as a matter of law. Since Adams does not anticipate claim 1, Adams also does not anticipate those claims that are dependent from claim 1 but were rejected as being anticipated by Adams – claims 13, 15, and 16.

With regard to the remainder of the claims dependent from claim 1 (2-12, 14, and 17-27), the Examiner rejected these other claims for being obvious over Adams in view of other references. In connection with these rejections, the Examiner utilized Adams as the core reference for the bulk of the claim elements in the same fashion and to the same extent as the Examiner relied on Adams in the anticipation rejection discussed above. Since, however, Adams does not provide the requisite teaching of the subject matter for which the Examiner has cited Adams as noted above, the asserted combination of Adams and the other references does not yield the claimed subject matter. Since the asserted combination does not yield the claimed subject matter, the combination cannot render the claimed subject matter obvious as a matter of law.

The applicant therefore submits that all claims are allowable. Early favorable action is respectfully respected.

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Respectfully submitted,


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